


- ☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$_____ is enclosed including the additional claims fee.
- ☐ Charge \$_____ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- ☐ A check in the amount of \$_____ to cover the fee for a two month extension is enclosed.
- ☐ A check in the amount of \$_____ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,


Attorney for Applicant
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00862.022322.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroshi TANAKA

Application No.: 09/922,848

Filed: August 7, 2001

For: LIGHT RECEIVING APPARATUS, MARK
DETECTING APPARATUS USING LIGHT
RECEIVING APPARATUS, EXPOSING
APPARATUS, MAINTENANCE METHOD OF
EXPOSING APPARATUS, MANUFACTURING
METHOD OF SEMICONDUCTOR DEVICE
USING EXPOSING APPARATUS AND
SEMICONDUCTOR MANUFACTURING PLANT:

)
: Examiner: M. Dalakis
)
: Group Art Unit: 2851
)
: Confirmation No.: 8629
)
: August 25, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office
Action dated July 28, 2003.

In the Office Action, the Examiner sets forth a restriction requirement among six
groups of claims. Group I, claims 1-11, 32 and 36, is drawn to a light receiving apparatus,
and is classified in class 250, subclass 200; Group II, claims 12-15 and 33, is drawn to a
mark detecting apparatus, and is classified in class 356, subclass 401; Group III, claims 16,
17, 28-31, 34 and 35, is drawn to an exposing apparatus, and is classified in class 353,

subclass 53; Group IV, claims 18-23, is drawn to a manufacturing method of a semiconductor device, and is classified in class 438, subclass 7; Group V, claims 24 and 25, is drawn to a semiconductor manufacturing plant having a plurality of semiconductor manufacturing devices interconnected via computer networks; and is classified in class 709, subclass 248-249; and Group VI, claims 26 and 27, is drawn to a maintenance method of an exposing apparatus including a database for storing maintenance information, and is classified in class 707, subclass 200.

The Examiner contends that the inventions of Groups I-VI are related as combination and subcombination, and have acquired a separate status in the art as shown by their different classification such that the searches are not coextensive, requiring separate examination. These contentions are respectfully traversed.

Applicant notes that the inventions of Groups I-VI are so closely related in the field of pulse light reception and emission, that a proper search of any of the claims would, of necessity, require a search of the others. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicant further submits that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicant's overall invention, is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicant's invention. The alternative is to proceed with the filing of multiple

applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicant.

In the interest of economy, for the Office, for the public-at-large and for Applicant, reconsideration and withdrawal of the restriction requirement are requested.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicant provisionally elects, with traverse, to prosecute the invention of Group III, namely claims 16, 17, 28-31, 34 and 35.

Favorable consideration and an early passage to issue are also requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



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